

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

In re	§	
	§	
FSI-TEXVAL, LLC	§	CASE NO. 11-11424-CAG
	§	
	§	Chapter 11
Debtor	§	

MOTION TO DISMISS CASE

**AN ORDER MAY BE ENTERED FOR THE RELIEF REQUESTED
HEREIN WITHOUT FURTHER HEARING UNLESS A WRITTEN
OBJECTION AND REQUEST FOR HEARING IS FILED WITH THE
CLERK OF THE COURT WITHIN TWENTY-ONE (21) DAYS OF THE
DATE OF SERVICE OF THIS MOTION.**

**ANY SUCH OBJECTION MUST ALSO BE SERVED UPON THE
MOVING PARTY AND UPON ALL OTHER PERSONS INDICATED ON
THE CERTIFICATE OF SERVICE ATTACHED TO THIS PLEADING.**

TO THE HONORABLE CRAIG A. GARGOTTA, U. S. BANKRUPTCY JUDGE:

COMES NOW, JUDY A. ROBBINS, United States Trustee for Region 7 (“UST”), and
files this Motion to Dismiss Case, and in support thereof respectfully shows the Court as follows

1. The Court has jurisdiction of this matter under 28 U.S.C. § 134(a) and (b), 28 U.S.C. § 157(a) and (b)(1), 28 U.S.C. § 151, and 11 U.S.C. § 1112(b). This is a core proceeding under 28 U.S.C. § 157(b)(2)(A) and (B).
2. FSI-TexVal, LLC filed a voluntary petition for relief under Chapter 11 of Title 11, United States Code on June 7, 2011. No trustee or creditors committee has been appointed.
3. The Debtor is a limited liability company, which is a non-natural person. Pursuant to Bankruptcy Rule 9010, the Local Bankruptcy Rules, and case law, corporations and other entities are required to be represented by counsel. *See Rowland v. California Men’s Colony*, 506

U.S. 194 (1993); In re Las Colinas Development Corp., 585 F. 2d 7 (1st Cir. 1978), cert denied, 440 U.S. 931, 99 S.Ct. 829, 59 L.Ed. 2d 29 (1979); and In re K.M.A. Inc., 653 F. 2d 398 (5th Cir. 1981).

4. Because the Debtor is not represented by counsel, the Court should dismiss this bankruptcy case.

WHEREFORE, PREMISES CONSIDERED, the United States Trustee prays that the Court dismiss this case, and to grant such other and further relief to which the United States Trustee may justly be entitled.

Respectfully submitted,

JUDY A. ROBBINS
UNITED STATES TRUSTEE

By: /s/ Valerie L. Wenger
Henry G. Hobbs, Jr.
Assistant U.S. Trustee
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Valerie L. Wenger
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CERTIFICATE OF SERVICE

I hereby certify that I forwarded a true and correct copy of the foregoing Motion to Dismiss Case to the persons listed below by prepaid first class mail on this the 7th day of June, 2011.

/s/ Valerie L. Wenger
Valerie L. Wenger

Debtor:
FSI-TexVal, LLC
600 Round Rock West, #404
Round Rock, TX 78681

Wells Fargo Bank
Attn: Jeff Austin
400 W. 15th St., Ste. 200
Austin, TX 78704

Settle Pou
Attn: Marsha DeKan
3333 Lee Pkwy, 8th Floor
Dallas, TX 75219